

**REMARKS****Substitute Specification**

The Notice to File Missing Parts states that the originally filed specification did not have the required line spacing and, therefore, did not comply with 37 CFR §1.52(b).

In response to the Notice to File Missing Parts, Applicants submits herewith a clean version of a Substitute Specification having the required line spacing (Exhibit 1), and a marked-up version of the Substitute Specification showing the changes made to the original specification (Exhibit2) as required by 37 CFR §1.125. The substitute specification includes no new matter.

In addition to the changes in line spacing, the Applicants have deleted pages 166 to 234 of the original specification, which contained a Sequence Listing. Applicants submission of a Sequence Listing Diskette, and a paper copy of the Sequence Listing (Exhibit 4) renders pages 166 to 234 of the original specification redundant.

**Sequence Listing**

The undersigned hereby states that the information on the Sequence Listing Diskettes submitted herewith is identical to the paper copy of the Sequence Listing enclosed herewith.

The undersigned hereby states that the submitted Sequence Listing does not include any new matter. However, the original disclosure contains an obvious error which is corrected in the submitted Sequence Listing.

The Applicants respectfully submit that the original listing of SEQ ID NO:17, at position 559, contains an “(;” which is obviously a typographical error. “(;” is not an accepted symbol for any naturally occurring nucleic acid, and the sequence presented in SEQ ID NO:17 is presented as a nucleic acid sequence. Therefore, the only symbols that should appear in the sequences are “A”, “C”, “T” and “G”. It is obvious that a “(;” is an error introduced typographically into the sequence. Moreover, it is apparent that the appropriate nucleotide at position 559 is a “G.” This is apparent because SEQ ID NO:17 is described in the application as the full length sequence of hOP-1 (page 34, lines 2-3), and the application states that U.S. Patent No. 5,266,683 discloses the sequence of OP-1 (page 37, lines 4-7.) U.S. Patent No. 5,266,683 is incorporated by reference into the subject application (page 35), and discloses that the nucleotide sequence for hOP-1 (SEQ ID NO:1) at the position 559 is a G. (See U.S. Patent No. 5,266,683, col. 8, lines 31-34 and SEQ ID NO:1, attached as Exhibit 5).

Conclusion

Please charge our Deposit Account No. 18-1945 in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(e). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. JJJ-P01-599.

Dated: January 26, 2004

Respectfully submitted,

By   
Gloria Fuentes

Registration No.: 47,580  
ROPES & GRAY LLP  
45 Rockefeller Plaza  
New York, NY 10111-0087  
(212) 497-3624  
(212) 497-3650 (Fax)  
Attorneys/Agents For Applicant